

*FILED 1-1 OPEN COURT
6/23/06 KJK*

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No. 06-65
)	
DAMIEN CUFFY,)	
)	
Defendant.)	

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves

(check all that apply):

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Maximum sentence life imprisonment or death
- ☐ 10+ year drug offense
- ☐ Felony, with two prior convictions in above categories
- ☒ Serious risk defendant will flee
- ☐ Serious risk obstruction of justice



2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure **(check one or both)**:

X Defendant's appearance as required

X Safety of any other person and the community

3. **Rebuttable Presumption.** The United States (will / will not) invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because **(check one or both)**:

_____ Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

_____ Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

_____ At first appearance

X After continuance of 3 days (not more than 3).

5. **Temporary Detention.** The United States request the temporary detention of the defendant for a period of _____ days (not more than 10) so that the appropriate officials can be notified since **(check 1 or 2, and 3)**:

_____ 1. At the time the offense was committed the defendant was:

_____ (a) on release pending trial for a felony;

___ (b) on release pending imposition or execution of sentence,
appeal of sentence or conviction, or completion of sentence
for an offense;

___ (c) on probation or parole for an offense.


___ 2. The defendant is not a citizen of the U.S. or lawfully admitted for
permanent residence.

___ 3. The defendant may flee or pose a danger to any other person or the
community.

6. **Other Matters.**

DATED this 23rd day of June, 2006.

COLM F. CONNOLLY
United States Attorney

By: 
Edmond Falgowski
Assistant United States Attorney